

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 1, 1999, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(456) In the matter of US WEST COMMUNICATIONS N99.10.237; On October 13, 1999 US West filed tariff Transmittal 99-56 requesting the elimination of the StartUp and Upgrade Business Packages. The packages have become outdated with the introduction of Business CustomChoice. Commissioner Rowe moved to approve the filing. Commissioner McCaffree seconded the motion, which passed unanimously.

(457) In the matter of AT&T COMMUNICATIONS N99.10.238; On October 14, 1999, AT&T Communications filed an application to withdraw AT&T's Easy Reach 500 Service and Easy Reach 700 Service (the "Services") effective November 15, 1999. The services are interstate services and only available intrastate as an add-on to interstate services. AT&T seeks to withdraw the intrastate Services coincident with the discontinuance of the interstate services. Commissioner McCaffree moved to approve the application withdraw services. Commissioner Feland seconded the motion, which passed unanimously.

(458) In the matter of US WEST COMMUNICATIONS DOCKET NO. N99.10.234; On October 13, 1999, US WEST filed Tariff Transmittal 99-57 for approval of some new Custom Calling features. The new products are Caller ID with Privacy +, Dial Lock, Do Not Disturb, and No Solicitation. Residence customers who order any of the features between November 15, 1999, and December 31, 1999 will receive a waiver of the nonrecurring charge. Caller ID with Privacy + provides subscribers with the ability to screen private and unidentified calls that are placed to their number. Dial Lock is a service that allows residential and small business customers the ability to manage outbound local and long distance calls placed from their telephones by blocking certain types of calls. Do Not Disturb allows customers to prevent the ringing of their telephone during specified hours. No solicitation is a feature designed to deter telemarketing, solicitation calls. Commissioner McCaffree moved to approve the tariff transmittal. Commissioner Feland seconded the motion, which passed unanimously.

(459) In the matter of the Geiszler pro se v. Jack L. Green II, General Partner, Grant Creek Water Works - Docket No. D99.8.191; On October 21, 1999, Tim Geiszler, pro se, filed a Motion to Dismiss Complaint against Grant Creek Water Works. On September 30, 1999 the Commission approved the transfer of the assets and operating responsibilities to Grant Creek Water Users Association, Inc.. Commissioner Rowe moved to grant the Dismissal of the Complaint, Order No. 6206 and ordered the docket closed. Commissioner McCaffree seconded the motion, which passed unanimously.

(460) In the matter of FAIRMONT HOT SPRINGS RESORT - Docket No. D99.4.86; On October 29, 1999, the Commission received a Motion for Protective Order, to protect information related to confidential information on the closely held corporation and information related to privacy matters of individual employees' salaries. Commissioner Rowe moved to approve the Motion for Protective Order, Order No. 6207. Commissioner Feland seconded the motion, which passed unanimously.

No Transportation Action Items for this Agenda.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 2, 1999, the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was in Billings attending a meeting regarding Colstrip but left her votes with the Commission Secretary.

APPEARANCE
Denise Peterson

(461) In the matter of the Commission's discussion of Montana Power Company D97.7.90 Tier 2; On October 26, 1999, the Confederated Salish and Kootenai Tribes of the Flathead Reservation filed a late Petition for Leave to Intervene in the Tier 2 of MPC's restructuring case. The Tribes have an interest in the Kerr Hydroelectric Project, as part of the generation assets sale. Counsel for MPC and PP&L Montana, L.L.C., were contacted by have no objection. Commissioner Rowe moved to grant the Petition for Late Intervention with the qualification that it does not delay the proceeding. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner McCaffree left her proxy to Chairman Fisher who voted her aye.

APPEARANCE
Janet Ellis, David Burchett

(462) In the matter of the Commission's discussion of USWC - Competitive Zone Residence and Business Winback Promotion - Docket No. N99.10.235; Commissioner Feland moved to approve the filing. Commissioner Anderson seconded the motion, which passed 4-0-1. Commissioners Fisher, Anderson and Feland voted aye. Commissioner McCaffree voted aye. Commissioner Rowe abstained.

APPEARANCE
Denise Peterson

(463) In the matter of the Commission's discussion of USWC/Qwest Merger - Docket No. D99.8.200; Commissioner Rowe moved to overrule the joint objections to the interventions of AT&T of the Mountain States, Inc. (AT&T), McLeodUSA Telecommunications Services, Inc., (McLEODUSA), and the Association of US West Retirees, grant the late intervention of Mid-Rivers Telephone Cooperative, Inc., and overrule the objection to Mid-Rivers' intervention. The motion also includes granting the request of U S WEST and Qwest to defer ruling on AT&T's discovery requests until after U S WEST and Qwest have responded, to allow a determination of whether the information provided is, in fact, satisfactory (hereafter "AT&T ruling," meaning a "best efforts" basis, subject to a later determination of sufficiency of

responses). The Commission deferred the balance of the objections to discovery requests to the work session on November 4, 1999. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree left her proxy to Commissioner Rowe who voted her aye.

Commissioner Rowe moved to defer the ruling on discovery objections until after the rules hearing Thursday, November 4, 1999. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner McCaffree left her proxy to Commissioner Rowe who voted her aye.

APPEARANCE

Jay Driscoll

(464) In the matter of the Commission's discussion of USWC/Qwest Merger - Pro Hoc ; Commissioner Rowe moved to direct staff to issue a Notice of Hearing and Comment. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

APPEARANCE

Janet Ellis, Bonnie Lorang

(465) In the matter of the Commission's discussion of - Docket No. D99.7.205; Commissioner Rowe moved to grant Late Intervention to Sprint with the qualification that it does not delay the case or expand the issues. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree did not vote on this item as it was an additional item work session.

APPEARANCE

Robin McHugh

(466) In the matter of the Commission's discussion of Pro Hac Vice Application - Docket No. D99.8.200; Commissioner Rowe moved to approve Douglas A. Klein, 500 23rd St., N.W., Apt. 1103, Washington, D.C. 20037 to appear before the Public Service Commission Pro Hac Vice. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

APPEARANCE

Kate Whitney

(467) In the matter of the Commission's discussion of Complaint Letters of Montana Communications and Essen Communications re: USWC - Approval to Consolidate - Docket N99.10.241; Commissioner Rowe moved to consolidate letters into an informal complaint and directed staff to draft a Notice of Complaint against USWC and instruct USWC to not stop processing David Wicks. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 2, 1999, the following Quorum was present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Bob Rowe Commissioner

APPEARANCE
Denise Peterson, Nickie Eck

(468) In the matter of the Commission's discussion of Valley Taxi, Hamilton, Montana, dba Victor Pizzola - Docket No. T-98.32.PCN - Application to Transport Non-Medical Passengers; Commissioner Rowe moved to issue Final Order No. 6469. Commissioner Anderson seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

BOB ANDERSON, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 2, 1999, the following Quorum was present:

Nancy McCaffree, Acting Chair
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree participated in this work session via telephone.

APPEARANCE
Robin McCaffree

(469) In the matter of the Commission's discussion of Ronan Tele Petition for Exemption - Docket No. D99.4.111; Commissioner McCaffree moved to issue Order No. 6174c (Conditional Denial) and to issue a Supplemental Procedural Order within seven days. Commissioner Rowe seconded the motion, which passed 2-1. Commissioners Rowe and McCaffree voted aye. Commissioner Feland dissented.

There being no further business to come before the Commission the meeting was adjourned.

NANCY MCCAFFREE, Acting Chair

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, November 4, 1999 the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent but left written votes with the Commission Secretary.

APPEARANCE

Denise Peterson

(470) In the matter of the Commission's discussion of USWC/Qwest Merger - Docket No. D99.8.200; Commissioner Rowe moved to:

1. Commission Staff. (a) To part 1 of U S WEST and Qwest Objections, the Commission overruled of the objections to PSC Data Requests 2, 7d, 8, 10b and 10c, 11, 12c and 12d, 15d, 24, 31, 32 and 33, which were made on grounds of the confidential nature of the information. The Commission directed U S WEST and Qwest to request a protective order as the appropriate remedy and protection of proprietary information. To the offer to allow staff to have limited review at the company offices, U S WEST and Qwest may make a specific request of staff to view specific information in its offices if more practicable, but the review will not be limited.

(b) In part 2 on PSC Data Request 12c and 12d, 21a, 23c, 26a and 26b and 37d to the extent they seek documents, U S WEST and Qwest objected on the grounds of attorney client privilege. The Commission overruled the objections as based on the grounds of attorney-client privilege, which, without more specificity, cannot be used to shield information. In particular, 12c and 12d do not seek documents.

(c) In part 3, U S WEST and Qwest objected to PSC Data Requests 16c, 26a and 26b, 34 and 40, on the grounds that they were overly broad, unduly burdensome, beyond the scope of the docket and outside the Commission's jurisdiction. The Commission overruled the objections to 16c and 34, and limited the request in 40a to the 14 western states in the region. The Commission sustained the objection to 40b as overly broad and better asked in 44a.

(d) In part 4, U S WEST and Qwest agreed to answer PSC-7d, with disclaimers. They agreed to provide the requested information and future estimates of the type of information required by the Security Exchange Commission on a best efforts basis. The Commission accepts this offer, subject to a later determination of sufficiency.

2. Montana Consumer Counsel (MCC). (a) U S WEST and Qwest objected to MCC Data Requests 4, 7, 8, 9, 10, 11, 12 and 14 to the extent that they seek proprietary information. The Commission overrules these objections, because the remedy to protect confidential information is a Protective Order, which shields such information from the public domain and "public record" category. The offer to MCC of a "limited review" in company offices is inappropriate when made to shield information from the public domain and from categorizing as public records, as the information will be shielded under a protective order.

(b) The Commission overrules the objection to MCC-10 which was made on the grounds of attorney-client privilege. Without more specificity, the privilege may not be used to shield information.

(c) The Commission overrules the objections to MCC Data Requests 4, 5 and 6, determining that the requests relate to matters within the Commission's jurisdiction and the scope of the Docket. The Commission determines that MCC-13 and -22 are relevant but may be burdensome, and directs U S WEST and Qwest to supply information in the same manner as agreed to for AT&T, subject to a later determination of the sufficiency of the response, if necessary. MCC may reformulate or clarify the questions to assist the process. The Commission overrules the objection to MCC-14 and directs U S WEST and Qwest to answer the request.

3. McLEODUSA Telecommunications Services, Inc. The Commission sustains U S WEST and Qwest's objections to the Instructions and Definitions, preceding the requests. The Commission directs U S WEST and Qwest to answer McLEODUSA's data requests according to the usual requirements of discovery in Commission matters and the customary industry definitions, pursuant to direction from the Commission and not per the limitations of the Intervenor.

Since U S WEST and Qwest submitted objections on an individual basis, the Commission will respond one-by-one with the actions on objections as follows.

- McLEODUSA - 1, Overruled, as all intervenors are entitled to copies, subject to protective order provisions, if appropriate.
- McLEODUSA - 2, Sustained, as outside the scope of the docket. Perhaps the information would be appropriate in an OSS docket.
- McLEODUSA - 3a, Overruled, answer as per the "AT&T ruling." McLEODUSA - 3b, Sustained, unduly burdensome and overly vague, to require a universe of documents.
- McLEODUSA - 4a, Overruled, answer as per the "AT&T ruling." McLEODUSA - 4b, Sustained, as overly broad and burdensome. McLEODUSA - 4c and 4d, Overruled, but limited to requirement to answer for the 14 states and a two-year period. McLEODUSA - 4e, Sustained, as overly broad and burdensome.
- McLEODUSA - 5a and 5b, Overruled, as not overly burdensome and as within the scope and jurisdiction; McLEODUSA - 5c, Overruled, but limited to producing copies of final decisions in the proceedings.
- McLEODUSA - 6a-6e, Overruled, but limited to requiring an answer for 14 states and two years, on a best efforts (AT&T ruling) basis. McLEODUSA - 6f, sustained as overly broad and burdensome, and also non-compliant with Procedural Order format.
- McLEODUSA - 7a and 8a(same questions, but for business and residential), Overruled, but limited to a period of two years. McLEODUSA - 7b and 8b, Sustained, as overly burdensome.
- McLEODUSA - 9a, Overruled per the AT&T best efforts basis, but limited to two years; McLEODUSA -9b, Sustained, unduly burdensome.
- McLEODUSA - 10, Overruled, as within the scope of the Docket and not burdensome.
- McLEODUSA - 11 and 12, Sustained, as totally outside the scope of this docket and information that may be publicly available. Could be subject of a different proceeding, e.g. and omnibus pricing docket.
- McLEODUSA - 13, Overruled, as within the scope of this proceeding.
- McLEODUSA - 14a-14d, Overruled, as the information may be provided under a protective order on a best efforts basis (AT&T ruling); McLEODUSA - 14e, Sustained, as overly burdensome.
- McLEODUSA - 15a, Overruled, answer on a best efforts basis; the objection to McLEODUSA - 15b, request to produce all documents is Sustained as unduly burdensome.
- McLEODUSA - 16a and 16b, Overruled, as information may be supplied pursuant to a protective order.
- McLEODUSA - 17, Sustained, but on grounds other than objection. Such information is readily available at the Commission.
- McLEODUSA - 18, Overruled, as the information is within the scope of the docket and not unduly burdensome.

4. Association of U S WEST Retirees. The Commission deferred action on the objections to the data requests of the Retirees, until its newly hired counsel can formulate the direct interest of the Intervenor affected by this Docket and identify the extent to which this interest is within the scope of the proceedings and the jurisdiction of the Commission. U S WEST and Qwest are relieved from answering these data requests at this time and until further notice from the Commission.

Commissioner Rowe further moved to grant U S WEST and Qwest an extension of the deadline to answer discovery from November 5 to November 12, 1999 (Procedural Order, Order No. 6199, ¶ 2e). Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted Commissioner McCaffree aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 15, 1999, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(471) In the matter of Commissioner moved to US WEST COMMUNICATIONS – Docket N99.10.236; On October 13, 1999, US West filed notification of its introduction of Emergency Preparedness Network (EPN) as a deregulated product offering in Montana. Commissioner Rowe moved to approve the introductory offer. Commissioner Feland seconded the motion, which passed unanimously.

(472) In the matter of RONAN TELEPHONE COMPANY N99.9.208; On September 2, 1999, Ronan Telephone Company filed an application for approval of Centrex service as a tariffed service and various enhanced Centrex services as detariffed. Ronan has since changed the filing to offer Centrex as a tariffed service and the enhanced services will be offered in conjunction with Centrex based upon terms, conditions, and rates contained in the existing separate tariffs and price lists for those services. Those services are Voice Mail, Caller ID and Advanced Calling Services. Commissioner Rowe moved to approve the application. Commissioner McCaffree seconded the motion, which passed unanimously.

(473) In the matter of US WEST COMMUNICATIONS – Docket N99.10.242; On October 21, 1999, US West filed Tariff Transmittal 99-59 to introduce a short term promotional offering for ISDN Single Line Service. During the promotional period from November 15, 1999 through December 18, 1999, customers subscribing to ISDN Single Line Service will receive a \$100.00 rebate toward the installation of the service. The promotions are only available where it is technically feasible to provide service and facilities are available during the promotional period. Commissioner Feland moved to approve the tariff filing. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(474) In the matter of T-99.25.ST; On August 25, 1999 WWSS Associates, Inc. dba Big Sky Industrial, Billings, Montana filed an application to transfer PSC No. 9265 to McKenzie Disposal, Inc., Billings, Montana.

Class D - Ashes, trash, waste, refuse, rubbish and garbage in the City of Billings, Montana and between Billings, Montana and other points. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Transportation must originate or terminate in Billings, Montana.

One protest was withdrawn and another was dismissed.

Commissioner McCaffree moved to approve the sale and transfer. Commissioner Rowe seconded the motion, which passed unanimously.

(475) In the matter of TN1999 - Edward DesRosier dba Sun Tours, East Glacier, Montana requests permission to suspend PSC No. 9220 for six months, November 1, 1999 to May 1, 2000.

Class B - Persons originating and terminating in Glacier County on the Blackfeet Indian Reservation to points in Glacier National Park, Flathead County, and the Blackfeet Indian Reservation.

Commissioner Feland moved to suspend PSC No. 9220 for six months. Commissioner Rowe seconded the motion, which passed unanimously.

(476) In the matter of TN2000 - James H. and Joan P. Michael dba Airport Shuttle Service, Kalispell, Montana request permission to continue the lease of PSC No. 3664 to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana for the period October 7, 1999 to October 7, 2000.

Class B - Persons and baggage from Kalispell, Montana, and a two mile radius thereof to Glacier International Airport via U.S. Highway No. 2, and State Highway No. 206, serving all intermediate points and return. Limitations: The transportation of persons and baggage between points and places within the City of Kalispell and a two mile radius thereof is prohibited.

Class B - Persons and baggage deplaning from Frontier Airlines and Hughes Airwest flights at Glacier Park International Airport to West Glacier, Montana, and return over Montana Highway No. 206 and 40 and U.S. Highway No. 2, subject to the condition that carrier advise Glacier Park, Inc., of its proposed service schedule and take such steps as may be reasonably necessary to coordinate service with that furnished by Glacier Park, Inc.

Class B - Persons and personal baggage between all points and places within Kalispell and a three (3) mile radius thereof. Limitations: 1) Transportation of passengers in limousine service is prohibited. 2) Transportation of Burlington Northern train crews is prohibited. 3) Transportation of express is prohibited. 4) Utilization of vans is restricted to the transportation of fifteen (15) people, or less, per vehicle.

Commissioner Rowe moved to approve the continuation of the lease for a period of one year. Commissioner Feland seconded the motion, which passed unanimously..

APPEARANCE

Laura Calkin
Centralized Services

(477) In the matter of the approval of Commission Minutes; Commissioner McCaffree moved to approve the Commission Minutes for September 7 through November 4, 1999 Minutes. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 15, 1999 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe, Commissioner

APPEARANCE

Denise Peterson, Will Rosquist, Joel Tierney

(478) In the matter of the Commission's discussion of Default Supplier Rules – L-99.7.9-RUL; Commissioner Anderson moved to direct staff to draft final rules in licensing only and to bring back to the Commission an aggressive procedural schedule in default supplier licensing rules for June 1, 2000 deadline. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 16, 1999 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

APPEARANCE

Martin Jacobson, Joel Tierney

(479) In the matter of the Commission's discussion of Utility Competition with private plumbing and heating contractors (Mr. Dennis Morgan and Mr. Lechner); Commissioner Feland moved to direct staff to send Montana Power Company a letter asking them to respond to the Modern Air, Inc. complaint. Commissioner Anderson seconded the motion which passed unanimously. Commissioner McCaffree voted Commissioner Rowe aye.

Commissioner McCaffree moved to direct staff to send a similar letter to Montana Dakota Utilities/Energy West. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree voted Commissioner Rowe aye.

APPEARANCE

Denise Peterson, Will Rosquist, Eric Eck

(480) In the matter of the Commission's discussion of Montana Power Company's Tier 2 Filing – Docket No. D97.7.90; Commissioner Anderson moved to direct staff to draft an order inclusive of Revenue Requirements Market Power Issues and Transition Cost Mechanisms. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Robin McHugh, Jay Driscoll

(481) In the matter of the Commission's discussion of US West Communications, Inc./DSLnet Application to approve an Interconnection Agreement – Docket No. D99.8.195; Commissioner Feland moved to approve, as drafted, Order No. 6209. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Denise Peterson, Wendy Fuller

(482) In the matter of the Commission's discussion of USWC/Qwest Merger – Motion for Protective Order – Docket No. D99.8.200; Commissioner McCaffree moved to grant the Motion for Protective Order with the caveat that they are to use caution and not to blanket protect everything. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Martin Jacobson, Wendy Fuller

(483) In the matter of the Commission's discussion of Western Wireless ETC – Withdrawal of Application for ETC Status – Docket No. D98.8.190; Commissioner McCaffree moved to grant the withdrawal of Western Wireless's application for ETC status. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

Commissioner McCaffree moved to Notify the FCC (Federal Communication Commission) of the PSC's approval of Western Wireless's withdrawal. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Wayne Budt, Laura Calkin, Robin McHugh, Dan Elliott

(484) In the matter of the Commission's discussion of staff travel; Commissioner Anderson moved to approve out-of-state travel for Denise Peterson to attend a meeting of the Public Power Council in Portland, Oregon. Commissioner Feland seconded the motion, which passed unanimously.

Commissioner McCaffree moved to approve out-of-state travel for Wendy Fuller to attend the Multi-State OSS Collaborative Workshop in St. Paul, Minnesota. Motion dies for lack of second.

Commissioner Anderson moved to approve out-of-state travel for a staff member, other than Wendy Fuller, to attend the OSS Collaborative Workshop. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 16, 1999 the following Quorum members were present:

Nancy McCaffree, Acting Chair
Gary Feland, Commissioner
Bob Rowe Commissioner (Via Conference Call)

APPEARANCE
Robin McHugh

(485) In the matter of the Commission's discussion of Ronan Telephone's Petition for Exemption – Request for additional time to file for reconsideration – Docket No. D99.4.111; Commissioner McCaffree moved to grant a limited extension to file for reconsideration through November 24, 1999. Commissioner Feland seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

NANCY McCAFFREE, Vice Chair

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 22, 1999, the following members were present:

Nancy McCaffree, Acting Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Chairman Fisher was on vacation, but left his votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(486) In the matter of COLSTRIP COMMUNITY SERVICES CO DOCKET NO. D99.9.209; On September 2, 1999, Colstrip Community Services Company (CCSC) filed a petition to transfer to the newly incorporated City of Colstrip, Montana the operational and maintenance duties associated with the water and sewer system which services Colstrip. The water and sewer system which currently services Colstrip is owned by Rosebud County and operated and maintained by CCSC. On October 26, 1999, the Commission issued a Notice of Application for Approval of the Transfer. Comments on the Application were due by November 12, 1999. No comments were received. An Order approving the transfer has been drafted. Commissioner Rowe moved to approve Order No. 6210 transferring the operational and maintenance duties associated with the water and sewer system which services Colstrip. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

(487) In the matter of SPRINT COMMUNICATIONS COMPANY N99.11.246; On November 1, 1999, Sprint Communications Company filed textual changes to its Montana P.S.C. Price List No. 1. The filing adds and changes text for Sprint 1000, extends Sprint Nickel Nights Off-Peak hours and introduces Sprint Nickel Nights Extra calling option. Commissioner Feland moved to approve the textural changes. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(488) In the matter of TN2002 - Greyhound Lines, Inc., Dallas, Texas, PSC No. 8939, requests permission to continue to self-insure for liability purposes, covering their scheduled passenger service point to point within Montana. The minimum liability limit required is \$5,000,000.00. Balance sheet information received reflects a net worth sufficient to support this request. Commissioner Rowe moved to approve the request to self-insure. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

APPEARANCE
Laura Calkin
Centralized Services

(489) In the matter of the approval of Commission Minutes; Commissioner Feland moved to approve the Commission Minutes for the week of November 15, 1999. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, **Acting** Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 22, 1999 the following members were present:

Nancy McCaffree, Acting Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner Fisher was on vacation, but left his votes with the Commission Secretary.

APPEARANCE

Denise Peterson, Will Rosquist, Eric Eck

(490) In the matter of the Commission's discussion of Default Supply Rulemaking – Notice to the Secretary of State – L-99.7-RUL; Commissioner Anderson moved to issue the Notice of Adoption to the Secretary of State's Office with the qualification that staff adds a Section L (Waiver or Statement if necessary for a Co-Op {good cause shown and demonstrated as in the public interest}). Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, **Acting** Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 23, 1999 the following members were present:

Nancy McCaffree, Acting Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner Fisher was on vacation, but left his votes/proxies with the Commission Secretary.

APPEARANCE

Kate Whitney

(491) In the matter of the Commission's discussion of Public Service Commission approval of winter shutoffs; Commissioner Anderson moved to grant authority to staff to approve and/or disapprove winter shutoffs. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

APPEARANCE

Denise Peterson, Will Rosquist, Eric Eck

(492) In the matter of the Commission's discussion of Montana Power Company's Tier 2 Case – Docket No. D97.7.90; Commissioner Rowe moved to approve and issue the order, as submitted, with editing as directed. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

APPEARANCE

Martin Jacobson, David Burchett

(493) In the matter of the Commission's discussion of MPC's Gas Tracker; Commissioner Rowe moved to issue the Protective Order as requested. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

APPEARANCE

Martin Jacobson

(494) In the matter of the Commission's discussion of Federal Communication Commission (FCC) Wireless and Universal Service Fund (USF) Notice of Proposed Rule Makings; Commissioner Anderson moved to direct staff to prepare comments for the Commission on both dockets. Commissioner Feland seconded the motion, which passed 4-0-1. Commissioner Rowe abstained. Commissioner Fisher voted aye.

APPEARANCE

Robin McHugh, Leroy Beeby, Scott Fabel

(495) In the matter of the Commission's discussion of House Bill 128 – Lincoln Telephone and Hot Spring Telephone Company – Docket No. N99.6.143; Commissioner Anderson moved to accept Lincoln's plan for the use of the reduction in HB128. Commissioner Feland seconded the

motion, which passed unanimously. Commissioner Rowe voted Commissioner Fisher aye. Commissioner Rowe moved to grant reconsideration and to accept Hot Springs Telephone C.o.'s. "Proposal #1, provided that staff is satisfied that the saving are realized by customers. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted Commissioner Fisher aye.

APPEARANCE

Janet Ellis

(496) In the matter of the Commission's discussion of AT&T's Generic Protective Order – Docket No. N99.10.244; Commissioner Rowe moved to deny AT&T's request for Protective Order as requested, but moved to grant a Protective Order in this case as modified by the Commission. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted Commissioner Fisher aye.

APPEARANCE

Dan Elliott, Robin McHugh

(497) In the matter of the Commission's discussion of staff travel; Commissioner Rowe moved to approve out-of-state travel for Wendy Fuller to attend the OSS Workshop in St. Paul, Minnesota in November, 1999. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, **Acting** Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 29, 1999, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(498) In the matter of MCI TELECOMMUNICATIONS CORP (N99.11.249); On November 16, 1999, MCI Telecommunications Corporation filed Transmittal Letter No 99-18 proposing the textual revisions to its Montana Tariff No. 2. They are proposing to grandfather Option CC (MCI One Advantage) to become effective December 1, 1999. Commissioner McCaffree moved to approve the tariff revisions. Commissioner Rowe seconded the motion, which passed unanimously.

(499) AT&T DOCKET NO. N99.11.253; On November 17, 1999, AT&T filed tariff transmittal 99-32 which introduced a new service, AT&T Business Network which provides customer centric integrated capabilities across AT&T Business Services. AT&T Business Network Service allows the Customer to integrate their long distance, including directory assistance, card and local usage. Commissioner McCaffree moved to approve the tariff filing. Commissioner Feland seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(500) In the matter of TN2001 - Bayside Disposal, Inc. dba Disposal Service of Montana, Lewistown, Montana requests permission to split PSC No. 3819, Sub G for leasing purposes. 3819, Sub G presently reads:

Class D - Refuse, meaning all putrescible and non- putrescible solid wastes, garbage, rubbish, street cleanings, dead animals, yard clippings, solid market wastes, solid industrial wastes, liquid wastes, and any other abandoned waste, between all points and places in the following counties: Chouteau, Meagher, Teton, Pondera, Glacier, Toole, Liberty, Hill, and Daniels, and between all points and places in the following counties: Garfield (except within the community of Jordan), Sheridan (except within the town of Plentywood, Montana, and to and from points tributary thereto, but within a distance not exceeding twenty-five (25) miles in any direction from said town), Cascade (except within the corporate limits of the City of Great Falls and suburban area within a radius of ten mile thereof).

Limitations: Transportation of garbage, refuse, rubbish and waste from litter cans located upon the public highways is prohibited in the following counties: Garfield, Treasure, Rosebud, Powder River, Fallon, Custer, Prairie, and Wibaux. Limitations: Transportation within Fort Benton, Montana and a ten (10) mile radius is prohibited, carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Bayside proposes that the following be retained under PSC No. 3819:

Class D - Refuse, meaning all putrescible and non- putrescible solid wastes, garbage, rubbish, street cleanings, dead animals, yard clippings, solid market wastes, solid industrial wastes, liquid wastes, and any other abandoned waste, between all points and places in the following counties: Chouteau, Meagher, Teton, Pondera, Glacier, Toole, Liberty, Hill, and Daniels, and between all points and places in the following counties: Garfield (except within the community of Jordan), Sheridan (except within the town of Plentywood, Montana, and to and from points tributary thereto, but within a distance not exceeding twenty-five (25) miles in any direction from said town), Cascade (except within the corporate limits of the City of Great Falls and suburban area within a radius of ten mile thereof). Limitations: 1) Transportation of garbage, refuse, rubbish and waste from litter cans located upon the public highways is prohibited in the following counties: Garfield, Treasure, Rosebud, Powder River, Fallon, Custer, Prairie, and Wibaux. 2) Transportation within Fort Benton, Montana and a ten (10) mile radius is prohibited, carrier is allowed to transport authorized commodities to certified landfills from territory authorized. 3) Transportation within the city of Cut Bank, Montana and an eleven (11) mile radius is prohibited.

The following will be assigned a new PSC number and will be leased:

Class D – Refuse, meaning all putrescible and non- putrescible solid wastes, garbage, rubbish, street cleanings, dead animals, yard clippings, solid market wastes, solid industrial wastes, liquid wastes, and any other abandoned waste, between all points and places within the city of Cut Bank, Montana and an eleven (11) mile radius thereof. Carrier is authorized to transport authorized commodities to certified landfills from territory authorized.

Commissioner Feland moved to approve the request to split the authority of PSC No. 3819. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Laura Calkin
Centralized Services

(501) In the matter of the approval of the Commission Calendar; Commissioner Rowe moved to approve the January, 2000 calendar. Commissioner Feland seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 30, 1999 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

APPEARANCE

Martin Jacobson, Dave Burchett

(502) In the matter of the Commission's discussion of Energy West – Protective Order – Docket No. D99.8.176; Commissioner Anderson moved to issue the Protective Order extending the Protective Order to apply to Energy West. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Leroy Beeby

(503) In the matter of the Commission's discussion of House Bill 128 – Reduction of Property Taxes – Docket No. N99.6.143; Commissioner Rowe moved to accept and approve the plans for Valley Telecommunications, Citizens Telecommunications and Clark Fork Telecommunications, subject to verification of numbers by staff. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Mike Lee, Scott Fabel

(504) In the matter of the Commission's discussion of US West Communications, Inc. – Wholesale discounts, UNEs and Collocation – Docket No. D98.8.192; Commissioner McCaffree moved to open a new docket and narrow the issues. Motion dies for lack of a second.

APPEARANCE

Martin Jacobson

(505) In the matter of the Commission's discussion of Federal Communication Commission (FCC) – Wireless and Universal Service Fund Notice of Proposed Rule Makings – PSC Participation; Commissioner McCaffree moved to file the reply comments as drafted, with the removal of subsidy portions in FCC Wireless NPRM, FCC Docket No. 99-205, WT Docket No. 99-266. Commissioner Anderson seconded the motion, which passed 4-1. Commissioner Fisher, McCaffree, Anderson and Feland voted aye. Commissioner Rowe dissented.

APPEARANCE

Martin Jacobson, Kate Whitney

(506) In the matter of the Commission's discussion of USWC Service Quality Reports – Reports and Protective Order – Docket N99.10.230; Commissioner Anderson moved to issue the Protective Order with information by calling area not being protected. Commissioner Feland seconded the motion, which passed 4-1. Commissioner Fisher, McCaffree, Anderson and Feland voted aye. Commissioner Rowe dissented.

APPEARANCE

Robin McHugh, Denise Peterson, Dan Elliott, Wendy Fuller, Kate Whitney, Jay Driscoll

(507) In the matter of the Commission's discussion of US WEST/Qwest Merger – Discovery Motions and Objections from Applicants and Intervenor – Docket No. D99.8.200; Commissioner Rowe moved to vacate the hearing date and suspend the procedural schedule and directed USWEST/Qwest to respond to motions by 5:00 p.m., December 8, 1999 and parties to respond by 12:00 p.m., December 13, 1999. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)